

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

BMB DINING SERVICES (FUQUA),
INC. d/b/a BOMBSHELLS HOUSTON-
SOUTH,

Plaintiff,

V.

THE TEXAS ALCOHOLIC BEVERAGE
COMMISSION; *et al.*,

Defendants.

CIVIL ACTION NO. 4:20-cv-02499

NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

Plaintiff BMB Dining Services (Fuqua), Inc., d/b/a Bombshells Houston-South, hereby files this voluntary notice of dismissal without prejudice. Dismissal is appropriate under Rule 41(a)(1) because the opposing parties have not served an answer or a motion for summary judgment in this matter. FED. R. CIV. P. 41(a)(1)(A)(i). Accordingly, Plaintiff hereby dismisses all its causes of action in the Original Complaint asserted against Defendants without prejudice.

Respectfully submitted,

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FOR PLAINTIFF**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing document has been served on counsel of record in accordance with the Federal Rules of Civil Procedure via email and/or filing through the Court's ECF System on October 5, 2020.

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